

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Darrell H. Carney

Application No.: 10/766,752

Group: 1653

Filed: January 27, 2004

Examiner: Mondesi, R.B.

Confirmation No.: 2963

For: USE OF THROMBIN-DERIVED PEPTIDES FOR THE THERAPY OF CHRONIC DERMAL
ULCERS



CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

January 20, 2005 Beverly Weinberger

Date

Signature

Beverly Weinberger

Typed or printed name of person signing certificate

PETITION FOR EXTENSION OF TIME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions the Commissioner for Patents to extend the time for filing a Reply to the Restriction Requirement dated October 20, 2004 for two months, from November 20, 2004 to January 20, 2005 under 37 C.F.R. § 1.136(a).

	<u>Small Entity</u>	<u>Other than Small Entity</u>
1 month -	\$ 60	\$ 120
2 months -	\$ 225	X \$ 450
3 months -	\$ 510	\$1,020
4 months -	\$ 795	\$1,590
5 months -	\$1,080	\$2,160

- [X] A check is enclosed in the amount of the extension fee indicated above, or the extension fee has been included in the check with the accompanying Reply.
- [] Please charge Deposit Account No. 08-0380 in the amount of \$[] to cover the cost of the extension fee.

Any deficiency or overpayment should be charged or credited to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

01/27/2005 FFANAI2 00000019 10766752

01 FC:1252

450.00 OP

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Carol A. Egner
Carol A. Egner
Registration No. 38,866
Telephone (978) 341-0036
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: January 20, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Darrell H. Carney

Application No.: 10/766,752

Group: 1653

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For:

USE OF THROMBIN-DERIVED PEPTIDES FOR THE THERAPY OF CHRONIC DERMAL ULCERS



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January 20, 2005	Beverly Weinberger
Date	Signature
Beverly Weinberger	
Typed or printed name of person signing certificate	

Mail Stop Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reply to Restriction Requirement, Preliminary Amendment and Transmittal of Substitute Sequence Listing for filing in the above-identified application.

[] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)	(COL. 2)	(COL. 3)	(COL. 4)	(COL. 5)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	36	MINUS	* 34	2
INDEP	4	MINUS	** 3	1
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

* not fewer than 20
** not fewer than 3

SMALL ENTITY	
RATE	ADDIT. FEE
X \$ 25	\$
X \$ 100	\$
+ \$ 180	\$

TOTAL = \$ 0

OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE
X \$ 50	\$ 100
X \$ 200	\$ 200
+ \$ 360	\$

TOTAL = \$ 300

Petition for Extension of Time

- ☒ Applicant hereby petitions to extend the time to respond to the Restriction Requirement dated October 20, 2004 for two months, from November 20, 2004 to January 20, 2005. The appropriate fee of \$450 is included in the enclosed check.
- ☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee
- ☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$☐ is included in the enclosed check.

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/> Petition for <input type="checkbox"/> month Extension of Time	\$ <u> </u>
<input type="checkbox"/> Amendment Fee	\$ <u> </u>
<input type="checkbox"/> Other Fees:	
	\$ <u> </u>
	\$ <u> </u>
TOTAL:	\$ <u> 0 </u>

A check is enclosed in payment of the following fees:

<input checked="" type="checkbox"/> Petition for two months Extension of Time	\$ <u> 450 </u>
<input checked="" type="checkbox"/> Amendment Fee	\$ <u> 300 </u>
<input type="checkbox"/> Other Fees:	
	\$ <u> </u>
	\$ <u> </u>
TOTAL:	\$ <u> 750 </u>

- ☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

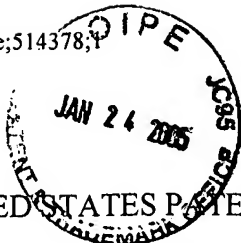
Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Carol A. Egner
Carol A. Egner
Registration No.: 38,866
Telephone (978) 341-0036
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: January 20, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

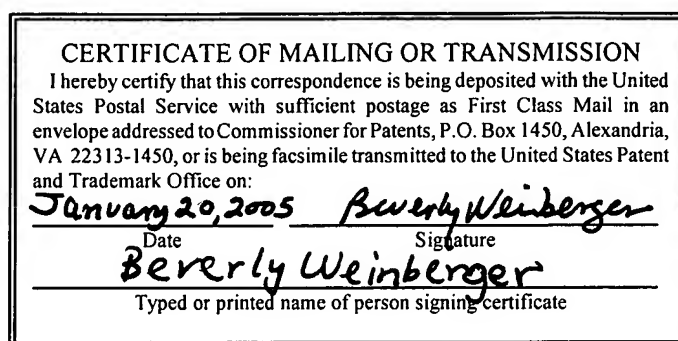
Applicant: Darrell H. Carney

Application No.: 10/766,752 Group Art Unit: 1653

Filed: January 27, 2004 Examiner: Mondesi, R.B.

Confirmation No.: 2963

For: USE OF THROMBIN-DERIVED PEPTIDES FOR THE THERAPY OF
CHRONIC DERMAL ULCERS



REPLY TO RESTRICTION REQUIREMENT,
PRELIMINARY AMENDMENT
AND TRANSMITTAL OF SUBSTITUTE SEQUENCE LISTING

Mail Stop Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby responds to the Restriction Requirement dated October 20, 2004. "SEQ ID NO: 5" is elected for prosecution. Claims readable on the elected sequence are Claims 1-16, 26, 28, as well as new Claims 35-42.

Responsive to the requirement to select a single disclosed moiety in positions R1 and R2, Applicant hereby elects -H as the R1 moiety and -NH₂ as the R2 moiety. Claims readable on the elected moieties are Claims 1-6, 8, 9, 11, 12, 14, 15, 17-19, 21-23, 25, 26, 28, as well as new

Claims 34-41.
01/27/2005 FFANAI2 00000019 10766752

02 FC:1201
03 FC:1202

200.00 OP
100.00 OP

If both requirements are considered together, claims readable on the elected sequence and the elected moieties at positions R1 and R2 are Claims 1-6, 8, 9, 11, 12, 14, 15, 26 and 28, as well as new Claims 35-41.

Applicant reserves the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicant does not hereby abandon or waive any rights in the non-elected inventions.

An extension of time to respond to the Restriction Requirement is respectfully requested. A Petition for an Extension of Time and the appropriate fee are being filed concurrently.

The requirement is being traversed for the reasons set forth in detail below.

Please amend the application as follows: